



Laura T. Beyer

Laura T. Beyer
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**IN RE:
ANTHONY JOSEPH GRIER**

DEBTOR.

**Case No. 18-30555
Chapter 13**

**ORDER APPROVING SALE OF PERMANENT AND TEMPORARY CONSTRUCTION
EASEMENTS TO THE CITY OF CHARLOTTE**

THIS MATTER coming before the undersigned United States Bankruptcy Judge of the United States Bankruptcy Court for the Western District of North Carolina upon Debtor's Motion to Approve the Sale of a Permanent Waterline Easement and a Temporary Construction Easement to the City of Charlotte, and, for good cause shown, the Court makes the following Findings of Fact:

1. Debtor filed a petition under Chapter 13 of the Bankruptcy Code in this Court on April 12, 2018, and his plan was confirmed on August 29, 2018.
2. On January 27, 2023, Debtor's Attorney learned that the City of Charlotte wished to acquire a permanent easement as well as a temporary construction easement on Debtor's property located at 1821 Beatties Ford Road in Charlotte, NC (the "Property").
3. The City of Charlotte has agreed to pay approximately \$8,000.00 for the easement and Debtor has agreed to sell it at that price.
4. Debtor requests that a portion of these total funds be used to resolve the City's code violations that were assessed to the property and the remaining funds be paid directly to the Chapter 13 Trustee for administration through his plan.
5. Debtor anticipates approximately \$2,500.00 would be needed to clear up the violations on the property. These violations were assessed after Debtor filed his bankruptcy petition and are not currently included in his plan.
6. Debtor believes that this sale is in the estate's best interest as the proceeds will go towards ensuring that all creditors are paid as outlined in his plan.

BASED UPON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, IT IS ORDERED, ADJUDGED and DECREED that:

1. Debtor is allowed to complete the sale of a temporary construction easement and a permanent easement on his real property (located at 1821 Beatties Ford Road) to the City of Charlotte.
2. The funds shall be paid out as follows:
 - a. Approximately \$2,500 be used by the City to clear up the violations that were assessed on the Property post-petition.
 - b. That the remaining funds be paid directly to the Chapter 13 Trustee to be distributed as part of Debtor's estate.
3. Attorney for Debtor is awarded the presumptive non-base fee of \$450.00 for services performed and \$25.00 for expenses in connection with this Motion. These funds shall be paid in Debtor's plan.
4. A status hearing shall be held on January 23, 2024 at 10:00 am at 401 W. Trade Street, LTB Courtroom 2A, Charlotte, NC 28202.

This Order has been signed electronically. The Judge's signature and court's seal appear at the top of the Order.

United States Bankruptcy Court